



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	Art Unit:
Michio KUBOTA et al	)	Examiner:
Appln. No.:	)	Washington, D.C.
Filed: April 1, 2002	)	July 2, 2002
For: $\alpha$ -ISOMALTOSYLGLUCOSACCHARIDE)	)	ATTYS DOCKET: KUBOTA=9
SYNTHASE, PROCESS	)	
	)	
	)	

INFORMATION DISCLOSURE STATEMENT [IDS]

Honorable Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Sir :

This Information Disclosure Statement is submitted in accordance with 37 CFR §§1.97, 1.98, and it is requested that the information set forth in this statement and in the listed documents be considered during the pendency of the above- identified application, and any other application relying on the filing date of the above-identified application or cross- referencing it as a related application.

[X] 1. This IDS should be considered, in accordance with 37 CFR §1.97, as it is filed:

[ ] A. within three months of the filing date of the above-identified national application or within three months of the entry into the national stage of the above-identified international application.

[X] B. before the mailing date of a first office action on the merits.

[X] 2. In accordance with 37 CFR §1.98, this IDS includes a list (e.g., form PTO-1449) of all patents, publications, or other information submitted for consideration by the office, either incorporated into this IDS or as an attachment hereto. A copy of each document listed is attached, except as explained below.

[X] A. Documents AC, AD, AE, and AG are deemed substantially cumulative to documents AA, AB, AF, and AH respectively and, in accordance with §1.98(c), only a copy of each of the latter documents is enclosed. Document AD is deemed substantially cumulative to document AB, and, in accordance with §1.98(c), only a copy of the latter document is enclosed.

[X] 3. Documents AI, AL, AP, AQ and AS are not in the English language. In accordance with §1.98(c), Applicant(s) states:

[X] An English translation of each document AI, AQ (or of the pertinent portions thereof), or a copy of each corresponding English-language patent or application, or English-language abstract (or claim) is enclosed.

[X] A concise explanation of the relevance of document AL can be found on page 14 of the specification.

[X] A concise explanation of the relevance of document AP can be found on page 139 of the specification.

[X] A concise explanation of the relevance of document AS can be found on page 163 of the specification.

[X] 4. No explanation of relevance is necessary for documents in the English language (see reply to Comments 67 and 68 in the preamble to the final rules; 1135 OG 13 at 20).

5. In accordance with 37 CFR §§1.97(g) and (h), the filing of this IDS should not be construed as a representation that a search has been made or that information cited is, or is considered to be, material to patentability as defined in §1.56 (b), or that any cited document listed or attached is (or constitutes) prior art. Unless otherwise indicated, the date of publication indicated for an item is taken from the face of the item and Applicant(s) reserves the right to prove that the date of publication is in fact different.

Respectfully submitted,

BROWDY AND NEIMARK  
Attorneys for Applicant(s)

By:

\_\_\_\_\_  
Sheridan Neimark  
Reg. No. 20,520

SN:sfg  
624 Ninth Street, N.W., Suite 300  
Washington, D.C. 20001-5303  
Telephone: (202) 628-5197  
Facsimile: (202) 737-3528

**Complete if Known**

## Application Number

<b>Filing Date</b>	April 1, 2002
--------------------	---------------

First Named Inventor	Michio KUBOTA
----------------------	---------------

### Group Art Unit

**Examiner Name**

Attorney Docket Number

KUBOTA=9

Sheet

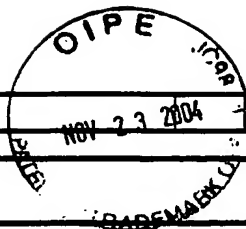
1

of

2

[illegible][illegible]

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.



--	--	--	--	--	--	--	--

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

Substitute for form 1449A/PTO

# **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet

2

of

2

## **Complete if Known**

Application Number	
Filing Date	April 1, 2002
First Named Inventor	Michio KUBOTA
Group Art Unit	
Examiner Name	
Attorney Docket Number	KUBOTA=9

## **OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>2</sup>
	AJ	Journal of American Chemical Society, vol. 71, pp. 353-358 (1949)	yes
	AK	European Journal of Biochemistry, vol. 226, pp. 641-648 (1994)	yes
	AL	"Biseibutsu-no-Bunrui-to-Dotei," published by Japan Scientific Societies Press, Tokyo, Japan (1985)	no
	AM	Bergey's Manual of systematic Bacteriology, vol. 2 (1986)	yes
	AN	Handbook of Amylase and Related Enzymes, published by Pergamon Press, Tokyo, Japan (1998)	yes
	AO	Bioscience Biotechnology and Biochemistry, vol. 56, pp. 169-173 (1992)	yes
	AP	"Nippon Nogeikagaku Kaishi," vol. 37, pp. 668-672 (1963)	no
	AQ	Journal of Japanese Society of Nutrition and Food Science, vol. 43, No. 1, pp. 23-29 (1990)	Abstr
	AR	Journal of Nutritional Science and Vitaminology, vol. 37, pp. 529-544 (1991)	yes
	AS	"A Color atlas of Anaerobic Bacteria," published by Kabushiki Kaisha Sobunsha, Tokyo, Japan (1984)	no

\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

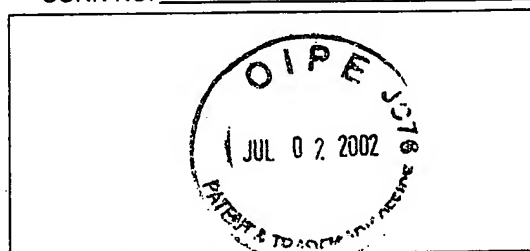
<sup>1</sup> Unique citation designation number. <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.



APPLICANT(S): Michio KUBOTA et al DOCKET NO.: KUBOTA=9  
APPLICATION NO: \_\_\_\_\_ CONF. NO: \_\_\_\_\_

THE PATENT AND TRADEMARK OFFICE STAMP  
HEREON ACKNOWLEDGES RECEIPT OF THE  
FOLLOWING PAPERS:

- ☐ FEES \$ \_\_\_\_\_  
☐ PTO FORM 2038 ☐ (CH. # \_\_\_\_\_)  
☐ EXTENSION OF TIME (\_\_\_\_\_ MONTHS)  
☐ TRANSMITTAL LETTER  
☐ MISSING PARTS RESPONSE WITH DECL  
☐ AMENDMENT/RESPONSE (circle one)  
☐ PRELIMINARY ☐ SUPPLEMENTAL  
☐ APPLICATION DATA SHEET  
☐ RESTRICTION/ELECTION REPLY  
☐ SEQUENCE LISTING ☐ WITH DISK  
☐ RCE / CPA TRANSMITTAL (circle one)  
☐ NOTICE OF APPEAL  
☐ APPEAL BRIEF (TRIPLICATE)  
☐ REPLY BRIEF (TRIPLICATE)  
☐ OTHER \_\_\_\_\_



- ☐ ASSIGNMENT  
☒ INFORMATION DISCLOSURE STATEMENT  
☒ FORM 1449 & 15 PATENTS/PUBS  
☐ PRIORITY DOCUMENT(S) NO. \_\_\_\_\_  
☐ DECLARATION UNDER § \_\_\_\_\_  
☐ LETTER TO DRAFTSMAN  
☐ \_\_\_\_\_ SHEETS OF DRAWINGS  
☐ ISSUE FEE TRANSMITTAL FORM  
☐ MAINTENANCE FEE LETTER

B&N-2